

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VALASSIS COMMUNICATIONS, INC.,

Plaintiff,

Case No. 2:06-cv-10240

v.

Hon. Sean F. Cox

NEWS AMERICA INCORPORATED, a/k/a NEWS
AMERICA MARKETING GROUP, NEWS AMERICA
MARKETING FSI, INC. a/k/a NEWS AMERICA
MARKETING FSI, LLC and NEWS AMERICA
MARKETING IN-STORE SERVICES, INC.
a/k/a NEWS AMERICA MARKETING
IN-STORE SERVICES, LLC,

Defendants.

**MOTION TO EXCLUDE BAMBERGER
TESTIMONY PURSUANT TO FED. R. EVID. 702**

Defendants, by and through their counsel, file this Motion, pursuant to Fed. R. Evid. 702, to exclude from evidence the testimony (including the damages estimate) of Gustavo Bamberger, Ph.D., at the trial in this case.

This motion is further supported by Defendants' Brief in Support.

Pursuant to LR 7.1(a), Counsel sought, but was unable to obtain the concurrence of opposing counsel in the relief sought in this Motion.

Wherefore, Defendants request that this Court grant Defendants' Motion to Exclude the Testimony of Gustavo Bamberger, Ph.D.

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Dated: February 27, 2009

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2009, I electronically filed the foregoing paper(s) with the Clerk of the Court using the ECF system, which will send notification of such filing to the following: Kerin E. Coughlin, Gregory L. Curtner, Lara Fetsco Phillip, Raymond C. Fay, Herschel P. Fink, Julie L. Kosovec, David S. Mendelson, A. Michael Palizzi, Marcy L. Rosen, Kimberly L. Scott, Jeffrey I. Shinder, Brian D. Wassom, Carl H. von Ende and Robert J. Wierenga.

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